

Rodney J. Klinger et al. Ser. No.10/074,196

G.A.U. 2836

REMARKS

It is respectfully submitted that the amendment of independent claims 1 and 6 distinguishes them from the applied reference Perry, and places all claims 1-10 in condition for allowance, which is respectfully requested.

Support for the amendment is found in the drawing and in specification paragraph [0021].

Perry's operation appears to differ from the present invention in two respects: 1) it uses the occurrence of certain unrelated external events, not the actual commencement of idling, to start the timer; and 2) it infers, rather than directly senses, engine idle.

Because the applicants' system has an electronic engine control module (ECM) 18 containing both idle shutdown timer and ignition, measuring engine idle time for the purpose of shutting down the engine if idle time becomes excessive, will commence with the commencement of actual idle. The total amount of idle time is not dependent on an external event such as the time at which the driver leaves his seat, nor is idle inferred from the particular setting of an external device such as the transmission or the emergency brake.

Moreover, the present invention does not interrupt the feed from the ignition switch to the ECM ignition. (Notice that the applicants' circuit feed from ignition switch terminal 14B through fuse 22 to terminal 20 is not interrupted by the interface provided by relays 30 and 40, whereas Perry's corresponding feed is interrupted by contacts 14a.) Should Perry's relay 14 fail such that

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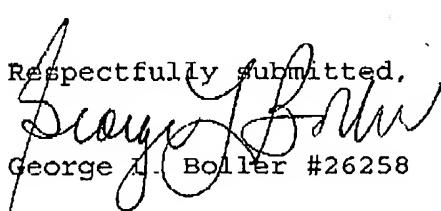
contacts 14a do not close when they should, the engine cannot run because no voltage can be delivered to his Ignition ECU 30. By contrast, the inclusion of the applicants' interface does not interrupt the ignition feed from the ignition switch to the ECM so that failure of either relay 30 or 40 would still allow the engine to run. It is believed that this affords another distinct advantage over Perry's system.

For the reasons given, allowance is believed proper and is respectfully requested.

Please continue to direct correspondence to the attorney of record. However, any questions regarding the content of this paper should be directed to the undersigned.

Contingent Deposit Account Authorization

It is believed that no additional fee is due in connection with the filing of this paper. Should that understanding be incorrect, the Commissioner is authorized to charge any lawful fee due with this filing to Deposit Account No. 14-0603.

Respectfully submitted,

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